

Dan  
**Bongino**  
for U.S. Senate

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

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2012 NOV -5 PM 3: 11

www.BONGINO.com  
301-BONGINO

P.O. Box 827

Severna Park, MD 21146

November 5, 2012

2012 NOV -9 PM 2: 22  
FEC MAIL CENTER

VIA HAND DELIVERY

Anthony Herman, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

**SENSITIVE**  
MUR # 6690

OFFICE OF  
GENERAL COUNSEL

2012 NOV -9 PM 4: 20

RECEIVED  
FEDERAL ELECTION  
COMMISSION

Re: Complaint Against S. Rob Sobhani and Sobhani for Maryland

Dear Mr. Herman:

This letter constitutes a formal complaint filed pursuant to 2 U.S.C. § 437g(a)(1) against S. Rob Sobhani, an Independent candidate for United States Senate in Maryland, and Sobhani for Maryland, Mr. Sobhani's principal campaign committee. Based upon information and belief, Mr. Sobhani and Sobhani for Maryland have violated Federal Election Commission ("Commission") regulations by failing to include a disclaimer in a recent robocall campaign.

On November 4, 2012, the following robocall was distributed to Maryland residents:

Hi, this is Mary. I'm a lifelong conservative Republican here in Maryland. I just learned something shocking. The Republican nominee for U.S. Senate doesn't support making English the official language. But Independent candidate Rob Sobhani supports making English the official language. You know, we conservatives can finally beat Ben Cardin if we vote for the real conservative in this race, Rob Sobhani. So don't waste your vote. Let's elect a real conservative. Rob Sobhani for U.S. Senate. Thanks for listening.

This robocall, which expressly advocates for the election of Rob Sobhani, appears to have been distributed by the Sobhani for Maryland campaign. A recording of this robocall is available upon request.

Commission regulations define a "public communication" as "a communication by means of any broadcast, cable, or satellite communication, newspaper, magazine, outdoor advertising facility, mass mailing, or telephone bank to the general public, or any other form of general public political advertising." 11 C.F.R. § 100.26. A "telephone bank" means "more than 500 telephone calls of an identical or substantially similar nature within any 30-day period." *Id.* § 100.28.

Paid for by Bongino for Senate

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Commission regulations require that "[a]ll public communications, as defined in 11 C.F.R. 100.26, made by a political committee" must include disclaimers. *Id.* § 110.11(a)(1). Specifically, [i]f the communication, including any solicitation, is paid for and authorized by a candidate, an authorized committee of a candidate, or an agent of either of the foregoing, the disclaimer must clearly state that the communication has been paid for by the authorized political committee." *Id.* § 110.11(b)(1).

The robocall referenced above did not include the disclaimer required by Section 110.11 of the Commission's regulations. Accordingly, the Commission should immediately investigate the circumstances surrounding this robocall and impose the maximum penalty for any legal violations that occurred.

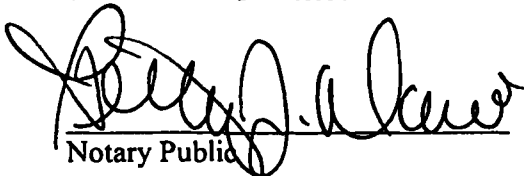
The above is correct and accurate to the best of my knowledge, information, and belief.

Sincerely,



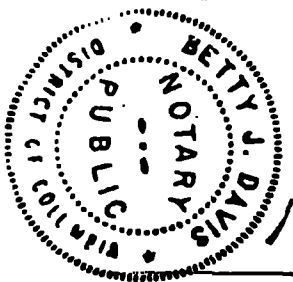
Jim Gibbons  
Campaign Manager  
Dan Bongino for U.S. Senate  
P.O. Box 827  
Severna Park, MD 21146

Sworn to and subscribed before me on this 5th day of November, 2012.

  
Notary Public

My commission expires:

BETTY J. DAVIS  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires September 14, 2014



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